IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 1235/2006
(Jaswant Singh Vs. State of Rajasthan & Anr.)

Date of Order : 19/09/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. M.K.Garg for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C. the petitioner seeks quashing of FIR No. 376/06 Police Station, Kotwali, Sri Ganganagar for the offences under Sections 409, 420 and 120-B IPC.

Heard learned counsel for the petitioner and public prosecutor for the State. Carefully gone through the first information report.

On perusal of the first information report, in my view, the FIR discloses the cognizable offences. The essential ingredients for the offences noticed above appear to be disclosed in the FIR. It cannot be said that the FIR is inherently improbable, absurd or barred by any provision of law.

Learned counsel for the petitioner submits that by a deed of dissolution of the partnership firm, the petitioner is no more partner of the firm. Be that as it may, on the relevant date when the entrustment of money was made it was the petitioner who received the amount and on demand he failed to return the entrusted amount. In the circumstances, therefore, no case for quashing FIR is made out.

The petition has no force and it is therefore, dismissed. However, it will be open for the petitioner to file such documents on which he relies, before the investigating officer and if such documents are filed, the investigating officer shall investigate the matter on the documents so filed.

(H.R.PANWAR),J.

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